

REMARKS

Reconsideration of the present application is respectfully requested. Claims 1, 15, 27 and 40 have been amended. Claims 1-55 remain pending.

Claims 1-6 and 39 stand rejected under 35 U.S.C. § 102(e) based on U.S. Patent application publication no. 2002/0194584 of Suorsa et al. ("Suorsa"). Claims 7, 15, 17, 19, 27-29, 31, 40-41, 43-45, 47-49 and 51-53 stand rejected under 35 U.S.C. § 103(a) based on Suorsa.

Applicants respectfully traverse the rejections. Applicants reserve the right to swear behind Sousa in a future reply, if Applicants deem it necessary or appropriate to do so. Note that independent claims 1, 15, 27 and 40 have been amended, however, independent claims 20, 32, 39, 44, 48 and 52 have not been amended.

Claim 1 recites:

1. A method comprising:
 - operating a first provisioning system authorized to provision a processing device on a network, wherein the first provisioning system is within a trusted environment; and
 - using the first provisioning system to authorize a second provisioning system, **which comprises a provisioning server** and is outside the trusted environment, to provision the processing device.
(Emphasis added.)

The cited art does not disclose or suggest the invention recited in claim 1. In particular, Suorsa does not disclose or suggest any element which can be considered a "second provisioning system, which comprises a provisioning server", per claim 1 (emphasis added).

In the Office Action, the Examiner apparently reads an agent 36 in Suorsa (see Figure 7) on the “second provisioning system” in claim 1 (see Office Action, p. 3). However, while an agent 36 in Suorsa can be implemented within a server (page 5, para. 46), an agent 36 itself is not a provisioning server; rather, an agent 36 functions essentially as a client, within the device to be provisioned, to communicate with the provisioning system 31. Therefore, an agent 36 in Suorsa cannot be read on the “second provisioning system” or “provisioning server” of claim 1.

Further, even if the agent 36 is implemented within a server, that server in which the agent 36 is implemented is not a provisioning server; rather, it is a device to be provisioned. Moreover, Suorsa does not disclose any other element that could be considered a “second provisioning system, which comprises a provisioning server”, per claim 1 (emphasis added). Therefore, claim 1 is not anticipated by Suorsa.

Furthermore, the invention of claim 1 also would not be obvious based on Suorsa. Suorsa’s main objective is to automate the task of provisioning devices, in a flexible manner (page 2, para. 11). There is no hint in Suorsa or the other cited art as to why it might be desirable (per claim 1) to use a first provisioning system within a trusted environment to authorize a second provisioning system that comprises a provisioning server outside the trusted environment, to provision a device.

For at least these reasons, therefore, claim 1 and all claims which depend on it are believed to be patentable over the cited art.

Independent claims 15, 20, 27, 32 and 40 contain similar limitations as those discussed above and, therefore, are also patentable over the cited art along with their

dependent claims (note that claims 20 and 32 explicitly recite a “secondary provisioning server”).

Further regarding claims 15, 40 and 44:

Claim 15 as amended further recites that the secondary TPD is authorized to provision the mobile device via a network. Claim 40 as amended and claim 44 recite similar limitations (note “remote source” in last element of claim 44). An agent 36 in Suorsa is implemented within a device to be provisioned. For this additional reason, therefore, an agent 36 cannot be interpreted as the “secondary TPD” or “second TPD” in claims 15, 40, and 44, and those claims are patentable over Suorsa.

Further regarding claims 15, 27 and 40, and regarding claim 48:

Even assuming *arguendo* that Suorsa discloses a “second provisioning system” which comprises a provisioning server, Suorsa nonetheless fails to disclose or suggest sending to the device to be provisioned a provisioning message that specifies a secondary TPD or provisioning system authorized to provision the mobile device and an identifier of one or more parameters which the secondary TPD is authorized to provision. Therefore, independent claims 15, 27, 40 and 48 are patentable over the cited art for this additional reason.

Further regarding claim 20, claim 20 recites:

20. A method comprising:
operating a primary provisioning server within a predefined trusted environment, the primary provisioning server having authorization to provision a plurality of mobile devices on a wireless network;

using the primary provisioning server to provision a digital certificate of the primary provisioning server in each of the mobile devices;

using the primary provisioning server to provision a digital certificate of a secondary provisioning server in the mobile devices, wherein the secondary provisioning server is on a second network outside the trusted environment; and

using the primary provisioning server to provision the mobile devices with information indicating to the mobile devices authorization of the secondary provisioning server to provision the mobile devices.

(Emphasis added.)

The Examiner admits that Suorsa fails to disclose using the primary provisioning server to provision a digital certificate of the primary provisioning server in each of the mobile devices, or using the primary provisioning server to provision a digital certificate of a secondary provisioning server in the mobile devices, wherein the secondary provisioning server is on a second network outside the trusted environment. However, the Examiner contends that Ramasubramani discloses these features, citing Ramasubramani at col. 10, lines 10-14.

The Examiner is mistaken -- Ramasubramani does not disclose or suggest the above-emphasized claim features. In fact, Ramasubramani teaches away from the invention of claim 20, by teaching that the digital certificates should be stored in a centralized proxy server, rather than in the device to be provisioned (col. 7, line 66 to col. 8, line 2). In addition, while Ramasubramani mentions the ability to “self-provision” a user account, Ramasubramani contains no hint that any of the digital certificates is a digital certificate of a provisioning server, in contrast with claim 20.

For this additional reason, therefore, claim 20 and all claims which depend on it are patentable over the cited art.

Further regarding independent claims 40, 44, 48 and 52, the cited art does not disclose or suggest any functionality, in a device to be provisioned (such as a mobile device), by which the device is initially provisioned by a first trusted provisioning domain (TPD), to enable it to be subsequently provisioned by a second TPD.

Further regarding independent claims 44 and 52, the cited art does not disclose or suggest the ability of a device to be provisioned (such as a mobile device) to distinguish between a message from a primary TPD and a message from a secondary TPD, as essentially recited on those claims. In Suorsa, the device to be provisioned relies upon its internal agent 36 to handle all provisioning tasks on the device. Since the Examiner reads Suorsa's agent 36 on the recited "secondary TPD" in Applicants' claims, the Examiner cannot also consider the agent 36 to be part of the device to be provisioned with regard to claims 44 and 52. Therefore, these claims and all claims which depend on them are patentable over the cited art for these additional reasons.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion


For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,
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Dated:

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